

Federal Defenders  
OF NEW YORK, INC.

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton  
Executive Director

Southern District of New York  
Jennifer L. Brown  
Attorney-in-Charge

**BY ECF**

December 5, 2019

Hon. Paul A. Crotty  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *United States v. Joshua Adam Schulte*, 17 Cr. 548 (PAC)

Dear Judge Crotty:

Under the current scheduling order, any “as-applied” constitutional challenge to CIPA is due tomorrow, December 6, 2019. However, since the Court has not yet resolved all of the disputed CIPA issues, an as-applied constitutional challenge is not yet ripe for briefing. Accordingly, the defense respectfully requests the opportunity to file an as-applied constitutional challenge to CIPA, if warranted, within two weeks after the Court resolves all outstanding CIPA issues.

Respectfully submitted,

\_\_\_\_\_  
/s/  
Edward S. Zas/Sabrina P. Shroff

cc: Counsel of Record (by ECF)